

ReedSmith

## FAX TRANSMITTAL

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 Date: February 28, 2005

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Total Number of Pages Including Cover Page 3

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-251017 v1-mwlf030

PTO/SB/26 (06-03)

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# **TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

ITI-331A (501170.20332)

In re Application of: E. Peter Smith

Application No.: 10/806,943

Filed: March 23, 2004

For: FIBER REINFORCED COMPOSITE LINER FOR LINING

The owner\*, INA Acquisition Corp., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,708,729. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

Signature

02/28/05

Date

Michael I. Wolfson

Registered No. 24,750

212-521-5400; 212-521-5450

Telephone No.; Facsimile No.

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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PTO/SB/07 (12-04)  
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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **130.00**

## Complete if Known

Application Number 10/806,943  
Filing Date March 23, 2004  
First Named Inventor E. Peter Smith  
Examiner Name P. Brinson  
Art Unit 3752  
Attorney Docket No. ITI-331A (501170.20332)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):  
☒ Deposit Account Deposit Account Number: 50-1529 Deposit Account Name: Reed Smith LLP  
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
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## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims:          Extra Claims:          Fee (\$):          Fee Paid (\$):          Multiple Dependent Claims:          Fee (\$):          Fee Paid (\$):           
HP = highest number of total claims paid for, if greater than 20  
Indep. Claims:          Extra Claims:          Fee (\$):          Fee Paid (\$):           
HP = highest number of independent claims paid for, if greater than 3

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets:          Extra Sheets:          Number of each additional 50 or fraction thereof:          Fee (\$):          Fee Paid (\$):           
- 100 =          / 50 =          (round up to a whole number) x          =         

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Terminal Disclaimer

\$130.00

SUBMITTED BY		Registration No.	
Signature	<i>Michael I. Wolfson</i>	(Attorney/Agent)	24,750
Name (Print/Type)	Michael I. Wolfson	Date	28 Feb 2005

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